

TIER -1 PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: VIA Metropolitan Transit Police Department

Reporting Date: 21 February 2013

TCLEOSE Agency: 029290

Chief Administrator: Police Chief Cory Chilcutt

Agency Contact: Sergeant Scott Wheelis (scott.wheelis@viainfo.net)

Information: VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT

800 WEST MYRTLE SAN ANTONIO TEXAS, 78212

(210) 362 – 2439

This agency claims partial racial profiling exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to this report 2.132 (Tier – 1) Partial Exemption

Article 2.132 (b) CCP Law Enforcement Policy on Racial Profiling

VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT has adopted a detailed written policy on racial profiling. Our policy:

- (1) Clearly defines acts constituting racial profiling;
- (2) Strictly prohibits peace officers employed by the VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT from engaging in racial profiling.
- (3) Implements a process by which an individual may file a complaint with the VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT if the individual believes that a peace officer employed with the VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT has engaged in racial profiling;
- (4) Provides public education relating to the agency's complainant process;
- (5) Requires appropriate corrective action to be taken against a peace officer employed by the VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT. Who, after an investigation, is shown to have engaged in racial profiling in violation of VIA METROPOLITIAN TRANSIT POLICE DEPARTMENT's policy adopted under this article;
- (6) Require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) The race or ethnicity of the individual detained;
 - (B) Whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) Whether the peace officer knew the race or ethnicity of the individual detained before the detaining the individual; and

(7) Require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit to an annual report of the information collected under subsection (6) to:

(A) The Commission on Law Enforcement Officer Standards and Education; and

(B) The governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: Police Chief Cory Chilcutt

Chief Administrator

VIA METROPOLITAN TRANSIT POLICE DEPARTMENT

Date: 21 February 2013

VIA METROPOLITAN TRANSIT POLICE DEPARTMENT Motor Vehicle racial Profiling Information

Number of motor vehicle stops

1. 77
2. 01
3. 05

4. 83 Total (Total of 4, 11, 14, and 17 must be equal)

Race or Ethnicity:

5. 02 – African
6. 01 – Asian
7. 21 – Caucasian
8. 54 – Hispanic
9. 05 – Middle Eastern
10. 00 – Native American

11. 83 Total

Race or Ethnicity known prior to stop?

12. 01
13. 82

14. 83 Total

Search Conducted?

15. 06
16. 77

17. 83 Total

Was search consented?

18. 02
19. 04

20. 06 Total (Total must equal line 15)